

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington D.C.

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In the Matter of

Redevelopment of the Spectrum to
Encourage Innovation In the Use
of New Telecommunications
Technologies

ET Docket # 92-9

RM-7981/8004

RECEIVED

JAN 27 1993

COMMENTS OF
THE NEW ORLEANS TELEPORT

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The New Orleans Teleport hereby comments on the Further Notice of Proposed Rule Making in the above-referenced docket which proposes to reallocate bands above 3 GHz to private and common carrier fixed microwave licensees, and to re-regulate the use of these frequencies.

The New Orleans Teleport (NOTEL) is primarily a C-Band satellite uplink facility, operating both transmit and receive antennas, serving the entire region of the Gulf South. Additionally, the Teleport broadcasts Direct-to-Home C-band signals for one of its clients, ACCESS AMERICA D.B.N. The 4GHz band is our critical downlink path, and as such, has been adequately separated from fixed microwave services, which abound in our region.

The teleport has spent millions of dollars in site selection and acquisition, engineering studies, fiber optic interconnect, building modifications, and C-Band electronic equipment. Additionally, we have spent considerable sums on regulatory efforts to effect proper coordination with microwave operations. We have been encouraged to assume that these steps were all that would be necessary to protect against future microwave interference.

All of our antennas are actively involved in providing valuable services to the public. Over the past ten days, the New Orleans Teleport provided valuable C-Band uplink and downlink services to the entire world for our clients, ABC, ESPN and CBS Sports, during the Sugarbowl and NFL playoffs.

Our space provider, General Electric (GE Americom) has recently launched a number of high-tech C-Band satellites, designed to enable us to enhance our Direct-to-Home C-Band network, which provides free, unscrambled programming to more than 20 million viewers throughout the Hemisphere. There is presently no substitute for satellite delivery of such programming to end users.

We feel that the new channelization plan proposed in the Further Notice would permit microwave carriers to be located closer than the present plus or minus 10 Mhz to the center frequency of our video signals. The proposed changes would place an interfering microwave channel virtually at co-frequency with the center frequency of our satellite transponder, greatly distorting our television signal.

Thus, the interference caused by reduced offsets will severely limit our ability to deliver quality programming to C-Band receive-only antennas. This means that not only our Direct-to-Home, but all of our satellite distribution of syndicated programs to TV stations and cable head ends will be affected, causing us grievous harm and threatening the existence of our customers, and their ability to deliver television programming into the home.

We feel that the Further Notice would encourage additional crowding in an already limited spectrum, by authorizing an expanded class of fixed microwave users into the 3.7-4.2 Ghz band.

NOTEL believes that the proposed change in policies would be unfair, onerous, and detrimental to an enormous segment of the viewing public. Even were existing earth stations to be "grandfathered" in any regulatory change, the crowding would so impair our signals to receive-only customers, as to make them unviewable. No alternative point-to-multipoint technology presently exists to replace C-Band services.

Further, were existing C-Band licensees to be forced to re-engineer existing earth stations or risk service interruption or extreme signal degradation, we feel this would unjustly prejudice the interest of our existing viewing public. Complicated coordination would be expensive and time-consuming, and would most likely result in severe service interruptions of news events, major sporting events such as horseracing (and off-track betting), and the development of C-Band Direct Broadcast Services.

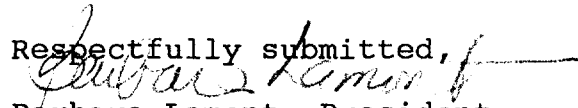
The impact on home satellite viewers would be particularly harsh. Their signals would be subject to interruption and distortion caused by the microwave services operating on the new frequencies authorized by the proposed channelization plan. Reducing the spacing between C-Band frequencies and those of microwave transmitters to plus or minus 5 Mhz separation would most likely render most of the satellite home antennas unusable, thereby

destroying millions of dollars of private consumer investment, and removing all video services from these homes.

CONCLUSION

The New Orleans Teleport believes that the rechannelization of the 4GHz band proposed in this Further Notice place existing C-Band satellite customers at an extreme disadvantage, literally removing their ability to deliver high-quality, reliable video and other programming both to the home and to commercial end-users for rebroadcast. Satellite viewing homes are presently enjoying enormous growth, with some 20,000 new C-Band antennas, smaller and smaller in size, being presently sold each month.

Adoption of the proposed rechannelization plan will halt the growth of this market by both commercial users and consumers, slow, if not halt the development of new video services, including Business Video, Video News Releases, and inflict harmful interference on existing and future home antennas. Accordingly, we feel that it would not only not serve the best interests of the public, but would inflict grave harm on an already soft industry, both in television and telecommunications. We strongly request the Commission not to adopt these proposals.

Respectfully submitted, 

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Certificate of Service

I, Wanda M. Latta, hereby certify that copies of the foregoing Comments of The New Orleans Teleport, Inc., were served by first-class mail, postage prepaid, on this 27th day of January, 1993, upon the parties shown in the attached list.

A handwritten signature in cursive script, reading "Wanda M. Latta", is positioned above a horizontal line.

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